



OPERATIONAL SERVICES DIVISION

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SUPPLIER DIVERSITY OFFICE CONSTRUCTION REFORM PROGRAM MUNICIPALITIES GENERAL GUIDELINES

The Supplier Diversity Office (SDO) issues the Construction Reform Program guidelines on the [Municipality Guidelines](#) webpage in accordance with the statutory standards set forth in [Chapter 193 of the Acts of 2004](#), which includes a municipal affirmative marketing program for currently certified firms in the Commonwealth of Massachusetts.

THE BIDDING AND CONTRACT INSTRUCTIONS ON THE [MUNICIPALITY GUIDELINES](#) WEBPAGE MUST BE INCORPORATED INTO CONTRACT DOCUMENTS, AS REQUIRED BY CHAPTER 193 OF THE ACTS OF 2004.

Municipalities must incorporate Minority Business Enterprise (MBE) and Women Business Enterprise (WBE) goals into both their design and construction procurement for municipal contracts for the construction, reconstruction, alteration, remodeling, repair or demolition of any public building by any city or town that includes funding provided by the Commonwealth such as legislative appropriations, grant awards, reimbursements and municipal commitments to use state funds.

Only firms which are **currently** MBE or WBE **certified** by the Supplier Diversity Office (SDO) at the date of contract award will be counted for Construction Reform program purposes. The firm's current SDO state certification letter **shall serve as the sole and exclusive proof of state certification.**

Certification as a Disadvantaged Business Enterprise (DBE), certification as an MBE/WBE by any agency other than SDO, or submission of an application to SDO for certification as an MBE/WBE **shall not confer** MBE or WBE status on a firm for purposes of construction reform program participation credit.

Affirmative Marketing Participation Goals:

The combined goals below were established by the Division of Capital Asset Management and Maintenance (DCAMM) and the Supplier Diversity Office (SDO) and require a reasonable representation of both MBE and WBE firms:

Design Participation: Combined MBE/WBE goal of (17.9%)

Construction Participation: Combined MBE/WBE goal of (10.4%)

Documentation submitted with your signature means that you swear under the pains and penalties of perjury that you have read and understand it. Any false claims for MBE/WBE credit are subject to the Massachusetts False Claims Act and any applicable civil or criminal penalties as determined by the Massachusetts Attorney General's office.¹

Questions and Contact Information:

Separate and individual PDF files are attached for your reference. All questions concerning the Construction Reform Act and the implementation of the new law may be directed to the SDO Director of Construction Reform at **617-502-8851** or by e-mail at John.B.Fitzpatrick@state.ma.us

¹ See generally, MG.L. c.12, §§5A-5O, inclusive.

